

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 30, 2018**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO MAGANA-  
MENDOZA,

Defendant.

No. 1:18-CR-02056-SMJ

**ORDER GRANTING DEFENSE  
COUNSEL'S *EX PARTE* MOTION  
FOR WITHDRAWAL AND  
SUBSTITUTION OF COUNSEL**

***EX PARTE***

Before the Court, without oral argument, is defense counsel's *ex parte* Motion for Withdrawal and Substitution of Counsel, ECF No. 23. Jeffrey S. Dahlberg of the Federal Defenders of Eastern Washington and Idaho seeks permission to withdraw based on a newly-discovered conflict of interest. Having reviewed the pleadings and the file in this matter, the Court is fully informed and finds good cause to grant the motion. Defense counsel may withdraw from this case. Because Defendant qualifies for legal representation under the Criminal Justice Act, the Court refers this case to Magistrate Judge Dimke for appointment of new defense counsel.


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Accordingly, **IT IS HEREBY ORDERED:**

1. Defense counsel's *ex parte* Motion for Withdrawal and Substitution of Counsel, **ECF No. 23**, is **GRANTED**.
2. The Clerk's Office shall **TERMINATE** Jeffrey S. Dahlberg and the Federal Defenders of Eastern Washington and Idaho as counsel for Defendant.
3. This case is **REFERRED** to Magistrate Judge Dimke for appointment of new defense counsel.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order *ex parte* and provide copies only to defense counsel and Magistrate Judge Dimke.

**DATED** this 30th day of November 2018.

  
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SALVADOR MENDEZ A, JR.  
United States District Judge